

## **REMARKS/ARGUMENTS**

### **Status of the Claims**

Claims 1-2, 4-15, and 17-28 are pending in this case, with claim 1 being the only independent claim. Claims 3, 16 have been cancelled without prejudice or disclaimer. Claims 17-18 and 20-21 have been amended to address formality issues without narrowing the scope of any claim element contained therein.

No new matter has been added.

### **Overview of the Office Action**

Claims 17-18 and 20-21 have been objected to due to minor informalities.

Claims 1-2, 4-12, 15, and 17-28 stand rejected under 35 U.S.C. §103(a) as unpatentable over Hoffman (DE 19829270) and further in view of Johnson (US 5,463,280).

Claims 13-14 stand rejected under 35 U.S.C. §103(a) as unpatentable over Hoffman and Johnson and further in view of Chan (US 2003/0021117).

### **Amendments Addressing Informalities**

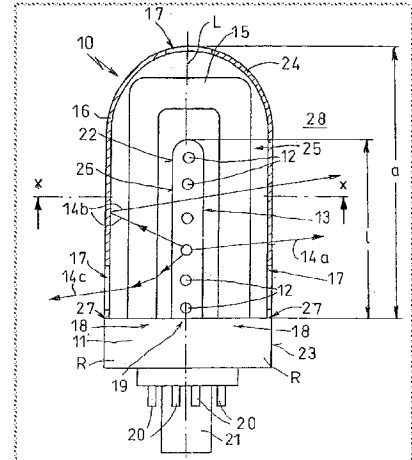
To advance the allowance of the subject application, applicants have amended claims 17-18 and 20-21 to address the informalities raised in the Office Action. In view of the above claim amendments, the objections to claims 17-18 and 20-21 have been overcome.

### **Summary of the Subject Matter Disclosed in the Specification**

The following descriptive details are based on the specification. They are provided only for the convenience of the Examiner as part of the discussion presented herein, and are not intended to argue limitations which are unclaimed.

The present specification discloses a lamp (10) having a base (11) for connection to a lamp socket on the lamp (10) (see Fig. 1 and paragraph [0039] of the published version of the present

application US 2005/0099108 (hereafter ‘the published application’)). A plurality of LED elements (12) are spaced apart from the base (11) and combined into a module (13) arranged on the base (11) (see paragraph [0040] of the published application). The LED elements (12) in the module (13) are aligned in a substantially longitudinal direction of the lamp (10) (see paragraph [0040] of the published application). The module (13)



forms a cylindrical lens to focus light emitted by the LED elements (12) (see paragraph [0058] of the published application). The lamp (10) also has a non-LED electrical lamp (15), such as a compact fluorescent lamp or a high-pressure discharge lamp, arranged on the base (11) (see paragraph [0042] of the published application).

The lamp (10) described above allows for homogeneous luminance distribution of the LED light emitted by the LED elements (12) (see paragraph [0004] of the published application).

## Patentability of the Claimed Invention

### A. Independent claim 1 is not obvious over Hoffman and Johnson

Independent claim 1 recites at least the following features:

- (i) a plurality of LED elements spaced apart from the base in a longitudinal direction from the base end to an opposing end of the lamp and combined to form one module arranged on the base; and
- (ii) the module forms a cylindrical lens extending in the longitudinal direction of the lamp to focus light emitted by the LED elements.

The above-recited features of independent claim 1 are neither taught nor obvious over the cited art because, if Hoffman were to be modified to arrive at the claimed invention, one of Hoffman’s discharge vessels 12, 13 would have been replaced by Johnson’s LED arrangement,

which combination fails to disclose the claimed cylindrical lens. Detailed reasons in support applicants' above position are provided below.

Hoffman teaches a lamp 10 having two discharge vessels 12, 13 supported on a common base 11 (see English translation of Hoffman). One of the discharge vessels 12, 13 can be an LED element (see applicants' discussion of Hoffman in para. [0002] of the published application). As is acknowledged in the Office Action, Hoffman does not teach the above claim features (i) recited in independent claim 1 (see pg. 3 of the Office Action).

Johnson was cited in the Office Action to remedy the deficiencies of Hoffman (see pg. 3 of the Office Action). Johnson teaches an LED lamp, in which a LED arrangement is provided and includes multiple LED's 16 are formed on an elongated circuit board substrate 30, 36 (see col. 5, ll, 38-41 of Johnson).

If Johnson were combined with Hoffman to replace one of Hoffman's discharge vessels 12, 13 with Johnson's LED arrangement, the resulting combination still fails to disclose the claimed lens. The LED arrangement in the proposed combination of Hoffman and Johnson will take the form of the LED arrangement shown in Figs. 2 and 3 of Johnson. Consequently, the proposed combination of Hoffman and Johnson does not teach "*a plurality of LED elements spaced apart from the base in a longitudinal direction from the base end to an opposing end of the lamp and combined to form one module arranged on the base*"; and "*the module forms a cylindrical lens extending in the longitudinal direction of the lamp to focus light emitted by the LED elements,*" as is expressly recited in independent claim 1.

Independent claim 1 thus patentably distinguishes over the proposed combination of Hoffman and Johnson and is allowable. The §103(a) rejection of independent claim 1 has thus been overcome.

B. Dependent Claims 2, 4-15, and 17-28

Claims 2, 4-15, and 17-28 depend, directly or indirectly, from allowable independent claim 1. Chan was cited in the Office Action against the additional claim features of claims 13-14 and does not remedy the deficiencies of Johnson. Therefore, claims 2, 4-15, and 17-28 each are allowable for at least the same reasons that independent claim 1 is allowable.

In addition, these dependent claims include features which serve to even more clearly distinguish the claimed invention over the prior art of record.

**Conclusion**

Based on all of the above, it is respectfully submitted that the present application is now in proper condition for allowance. Prompt and favorable action to this effect and early passing of this application to issue are respectfully solicited. Should the Examiner have any comments, questions, suggestions or objections, the Examiner is respectfully requested to telephone the undersigned in order to facilitate reaching a resolution of any outstanding issues.

Respectfully submitted,  
COHEN PONTANI LIEBERMAN & PAVANE LLP

By /Alfred W. Froebrich/  
Alfred W. Froebrich  
Reg. No. 38,887  
551 Fifth Avenue, Suite 1210  
New York, New York 10176  
(212) 687-2770

Dated: May 4, 2011